

Rec'd
11/14/03
RDL

November 8, 2003

CITY OF MILWAUKEE

2003 NOV 17 AM 11:53

Milwaukee City Clerk
200 East Wells Street, Room 205
Milwaukee, Wisconsin 53202

RONALD D. LEONHARDT
CITY CLERK

To whom it may concern:

I am in receipt of the letter from the City Attorney regarding C.I. File No. 03-S-243. As was stated in the letter, I wish to appeal the decision and request a hearing.

While it indeed was unfortunate that the Milwaukee Water Works had five "reported breaks" in a short time period on February 10, 2003, non-the-less it was still a responsibility of theirs to handle and contain the breaks. Saying "The Milwaukee Water Works responded to this main break in a timely manner, especially considering the number of other breaks occurring around the same time", does not diminish the fact that the length of time the water continued to flow heavily was over 3 hours. Nor does that help negate the fact that its flowing caused damage to my property.

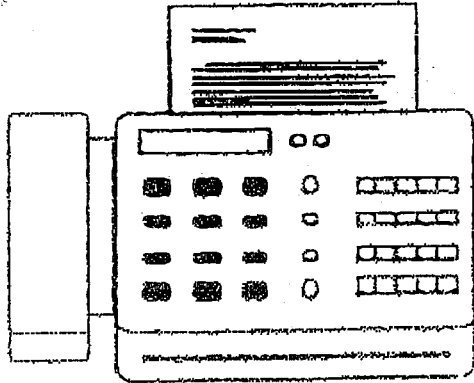
Again, I respectfully wish to appeal this decision to deny my claim and I request a hearing.

Sincerely,

Mrs. Rita Cieslik
3376 S 13 ST
Milwaukee, WI 53215

CITY ATTORNEY

NOV. 17 REC'D



Fax Transmission

Date: 6-2-03

To: Claims
Fax Number: () 286-3456

CITY OF MILWAUKEE
2003 JUN -2 PM 12:45
RONALD D. LEONHARDT
CITY CLERK

From: Carey Rehm (for Rita Cieslik)
A.E. Burdick School

Our Phone: (414) 294-1200

Our Fax: (414) 294-1215

Number of pages including this cover page:

9 + 1 = 10

CITY OF MILWAUKEE
RECEIVED
OFFICE OF
CITY ATTORNEY
2003 JUN -2 PM 3:28

Message:

I spoke to you at about 12:30 p.m. and
you indicated I could FAX this claim to
you. (Thank you for offering to call me
and let me know you received it.)

Carey Rehm
294-1205

Please call if you experience any transmission problems.

OFFICE OF THE CITY CLERK

Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City of Milwaukee which complies with sec. 893.80, Stats., the following information must be submitted in writing to the City Clerk, Room 205, City Hall, 200 East Wells Street, 53202 (Attention: CLAIMS).

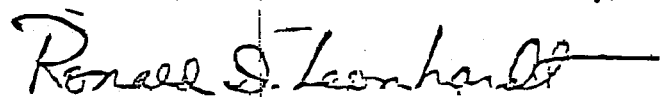
1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

The above information may be combined in a single document.

In order to allow the City to thoroughly and promptly act on your claim, the following information should also be submitted.

1. Proof of the amount of the claim by means of either two itemized estimates or itemized receipted bills.
2. Your phone number where you can be reached during business hours.
3. As detailed a description of the incident as possible including the date, time and place.

200 E. Wells



RONALD D. LEONHARDT
City Clerk

286-2221

Attn: Claims
FAX: 286-3456

May 25, 2003

Rita J. Cleslik
3376 South 13th Street
Milwaukee, WI 53215

Office of the City Clerk
Room 205 City Hall
200 East Wells Street
Milwaukee, WI 53202

Dear Mr. Leonhardt,

As per the instructions for filing a claim against the City of Milwaukee, I am sending you this letter. I am including the requested information:

1. "A document stating the circumstances of the claim...."

On February 3, 2003 at approximately 2:00 a.m. a resident noticed water spouting in the air on Holt Avenue, near to 13th Street, and also spouting near the lannon walk in my front yard. The water in my yard was spouting 4 to 6 feet in the air. That resident, and another neighbor who also witnessed the water spouting, made calls to the City at approximately that same time, 2 a.m. It was not until approximately 6 a.m. that city workers arrived and the water in the area was shut off. The water continued to spout both in street (Holt Avenue, just east of 13th Street, approximately even with my chimney) and in my front yard until that time. The water caused damage to my yard and also to my basement. (See enclosed photos.) The portion of my front yard south of my lannon walk and from 13th Street to almost my side door (1224 West Holt Avenue) was covered with layers of mud and sludge. More than once, the city sent crews to remove the mud and sludge from my yard, the sidewalks, and the area between the sidewalk and the curb on Holt Avenue by my house. Additional to the mud and sludge outside, the same debris ended my in my basement. (See photos.) The mud and sludge caused the grass and planted areas in my yard to become greatly distorted. There are many high and low spots where once the grass was a flat even surface. Cutting the grass is a near impossibility! Additionally, a layer of mud approximately 6 inches deep remained in a perennial bed even after the city "clean-up." I have attempted to remove some of it, but it is rock hard and nearly impossible to budge. It has covered and killed many of the perennial flowers that were planted in the bed.

2. "A document stating the address of the claimant and a statement of the relief sought."

My address, where the damage took place, is 3376 South 13th Street.

CITY OF MILWAUKEE
2003 JUN -2 PM 12:45
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
03 JUN -2 PM 3:28
OFFICE OF
CITY ATTORNEY

My claim is for \$628.6. This is the cost of the lower of the two estimates I received to repair the damage to my lawn. (They are both included.) Though I feel the city should also assume responsibility for the damage to my basement and the subsequent clean-up costs, I have done all that work myself. (I have enclosed photos of the mud and dirt that entered my basement as a result of the water main break that occurred on February 3, 2003. I would like to state that even in the heaviest of rains, I have never had water enter my basement as it did on February 3, 2003.) I additional "lost" many of the perennial flowers that were in the bed pictured. The bed ended up being covered in upwards of 6 inches of mud and sludge, and I attribute the "loss" of the plants to that.

As requested, I am also submitting the following information:

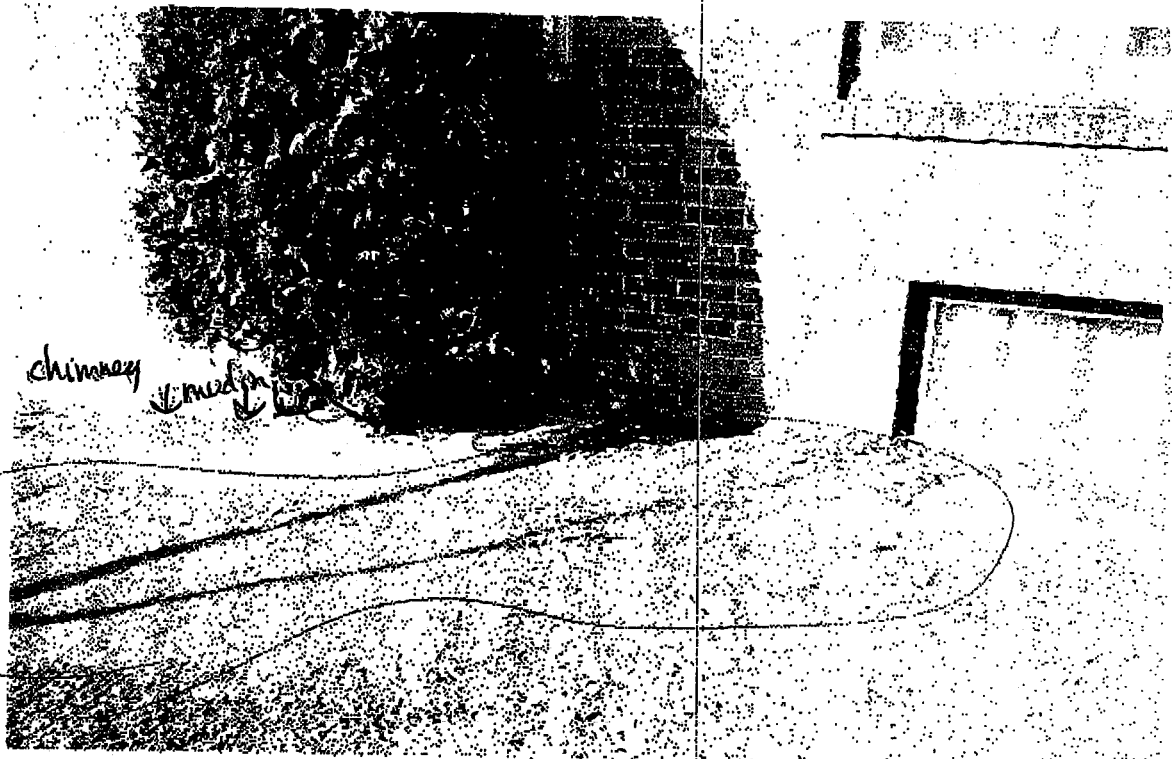
1. "Proof of the amount of the claim...." (I am enclosing two estimates for the repair of the damage to the yard. I plan to have Bluemel's do the work.)
2. "Phone number where I can be reached during business hours." My number is (414) 383 -0938.
3. "As detailed a description of the incident as possible including the date, time and place." See #1 in the initial section of this letter.

Thank you for your prompt response to my claim.

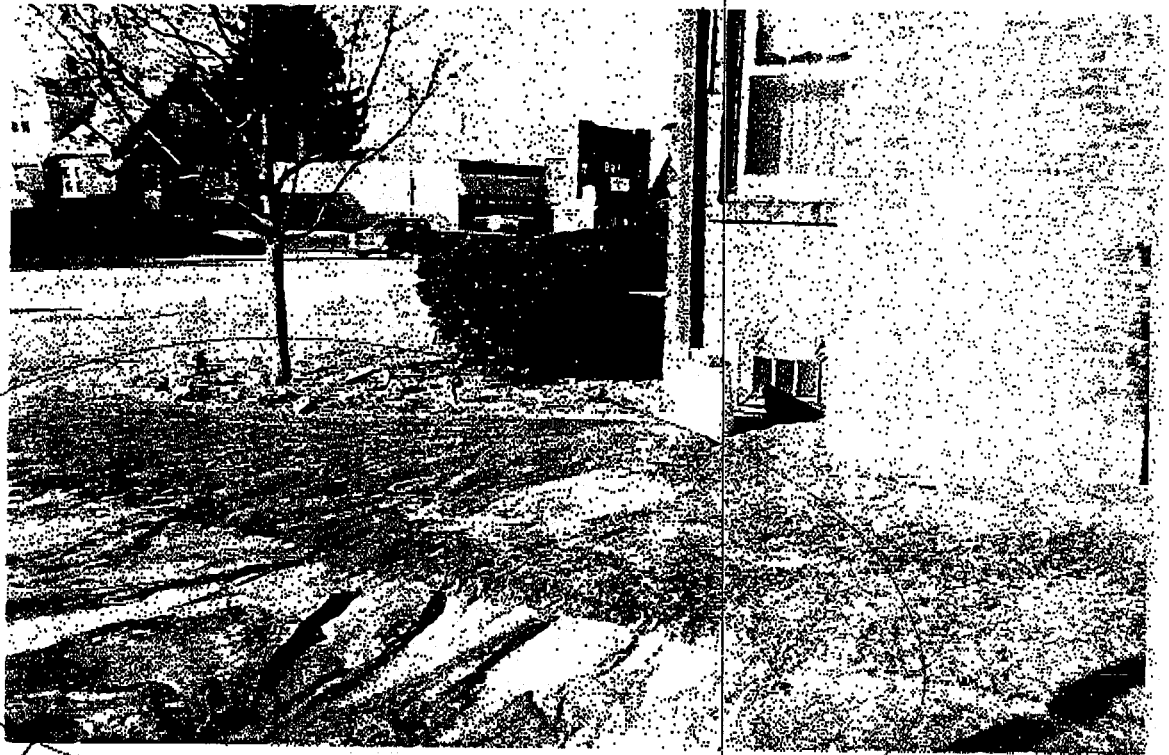
Sincerely,



Rita J. Cieslik



All mud covered
(Pictures are easier to see.)



Mud & sludge from break
(after clean ups by city, mud kept oozing.)

(383-0938)
RITA (ICS) KK



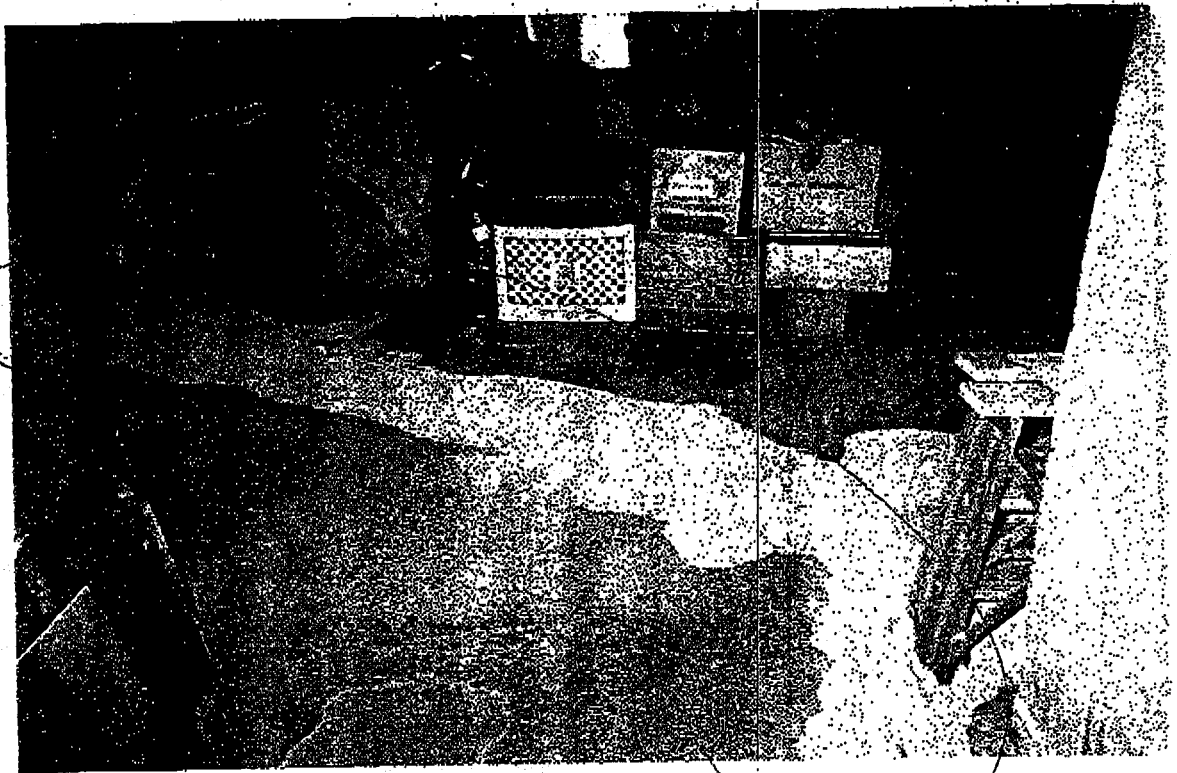
Layers of mud still remained at grass and sidewalk even after clean-ups by city.

(303-0938

DATA CIPHER



Yud trail
in basement
from
break



(383-0938)
RITA CIESLIK



Bluemel's

Serving Milwaukee Since 1955

**FLORISTS
GARDEN CENTER
LANDSCAPING
LAWN MAINTENANCE**

"Quality & Service are the Roots of our Business"

May 7, 2003

Rita Cieslik
3376 S. 13th Street
Milwaukee, WI 53215
383-0938

Company Contact: Jeremy Santori

RE: Landscaping

We propose the following landscaping:

We will remove the existing sod from the front yard (south side of door). We will re-grade taking out any high or low spots using fresh topsoil. New sod will then be installed (600 sq. ft.). We will also replace the edging around the planting bed. The homeowner will be responsible for the maintenance and watering of the sod after installation.

595.00

Should you choose to have this work complete, sign and return to Bluemel's so work can be scheduled. All applicable sales tax will be added to final billings.

Acceptance Signature:

Date:

Blue copy/sign and return
White copy/for your records

Proposal



GUARANTEED LANDSCAPE SERVICES, INC.

DESIGN • INSTALL • MAINTAIN

P.O. Box 320366 • Franklin, Wisconsin 53132

(414) 423-7000 • (262) 784-1162



PROPOSAL SUBMITTED TO Rita Cieslik	PHONE 383-0938	DATE 05/14/03
STREET 3376 S. 13 th	JOB LOCATION Same	
CITY, STATE AND ZIP CODE Milwaukee, WI 53215	DIGGER'S HOTLINE	
START & COMPLETE IN May - June 2003	DATE	TIME
	CONTROL #	

We hereby submit specifications and estimates for:

Please see 2nd page.We ~~Propose~~ hereby to furnish material and labor — complete in accordance with above specifications and any subsequent page(s) for:NON-TAXABLE SECTION(S)

SUBTOTAL \$ _____
 SALES TAX \$ Exempt
 TOTAL \$ _____

TAXABLE SECTION(S)

SUBTOTAL \$ _____
 SALES TAX \$ _____
 TOTAL \$ _____

Project Total: \$ _____

Payment schedule to be made as follows:

Please initial desired sections, total and add 5.6% sales tax. 50%

Down. Balance due upon completion of section.

Please sign and return one copy with your down payment.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature

Note: This proposal may be withdrawn by us if not accepted within 15 days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above.

I agree to the terms and conditions on the reverse side of this order as well as any subsequent pages.

Date of Acceptance: _____

Signature ✓

Signature

Specifications

Page No. 2 of 2 Pages

We will be responsible for calling Digger's Hotline prior to project.

Deliver/Lay 4'x 8' plywood to help protect lawn areas.

Lower grade in SE corner of yard, (South of Lammonstone walkway and East of chimney).
Deliver/Spread up to (2) yards topsoil. Finish grade. Deliver/Lay up to (approx. 685) sq.
ft of sod. Deliver/Install approx. 35' of black commercial edging around crabapple bed
in Southeast corner of house.
Total = \$ 1,630

We are not responsible for erosion caused by water or weather conditions.

Customer is responsible for watering.

If all sections are approved by April 23rd, 2003, deduct \$25.00.

Prices include all deliveries, materials, and debris disposal as specified. Guaranteed
Landscape Services, Inc. retains Liability Insurance, and our employees are covered by
Worker's Compensation Insurance.

INITIAL